

GOVERNOR'S OFFICE

June 14, 1960

Attendance:

Governor George D. Clyde
L. B. Johnson
Don Clyde
John Talmage
Wayne D. Criddle

Problem: Center Creek (Wasatch County) water distribution.

There are two companies owning all of the waters of Center Creek for about 1200 acres.

- 1 - Center Cr. Water & Irrigation Co. Inc. 1887 - 500 shares.
- 2 - Center Cr. Irrigation Co. (Reservoir) Inc. 1887 - 500 shares.

Mr. Don Clyde owns 60 shares of (1) and 220 shares of (2) but claims that distribution has been controlled by a group and that the respective rights of each have not been considered, particularly as to the use of reservoir waters.

Information: Mr. Clyde left with Wayne D. Criddle copies of the following:

- 1 - Agreement for the incorporation of the Center Cr. Wat. & Irr. Co.
- 2 - Amended Articles of Agreement of the Center Creek Irr. Co.
- 3 - Findings of Fact and Conclusions of Law in the case of The Center Creek Wat. & Irr. Co. vs. John A. Thomas, dated 6/15/98

A stream gaging station exists on Center Creek - operated by Deputy Commissioner Ike Baum. There should be 5 years of record of the flow above diversions.

According to Mr. Clyde, reservoir storage should take place during the period when the flow exceeds three "normal" irrigating streams. Diversions to farmers have never been measured so that normal has an indefinite meaning.

During 1959-60, U.S.U. and the Wasatch County Agent attempted to assist on a consolidation of the two companies and proper distribution thereunder. This endeavor was met with resistance by the "natural flow" users.

The 1938-39 surveys of irrigated land by U.S.U. may help.

Needed:

- 1 - An adjudication of the stream. (It was pointed out that State Engineer personnel could not complete one for some time because of other commitments).
- 2 - There has been an enlargement (illegally) of one storage reservoir. Four others have been strengthened from time to time but without any increase in storage capacity.

Proposed: It was proposed that the users be called together about Jan. 10, 1961 to discuss their problems and that a stipulated agreement be reached, if possible, governing the distribution until such time as an adjudication can be completed.

Action: Water Resources should furnish stream flow data, particularly the normal flow of Center Creek on June 15, 1960.

Distribution should outline a proposed operating schedule.